

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

STEVE LESHINSKY, Individually And On
Behalf Of All Others Similarly Situated,

Plaintiff,

vs.

JAMES JUN WANG, ZHIJUAN GUO,
WEIGUO WANG, ARNOLD STALOFF, and
SMARTHEAT, INC.,

Defendant.

Civil Action: 12-cv-6682(PAE)

**MOTION OF BEN SHENG TO BE APPOINTED AS LEAD PLAINTIFF
AND FOR APPROVAL OF HIS SELECTION OF COUNSEL**

Class member Ben Sheng (“Movant”), by counsel, hereby moves this Court for an Order (submitted herewith): (i) appointing Movant as lead plaintiff in the above-captioned action pursuant to § 21D(a)(3)(B) of the Securities Exchange Act of 1934 (the “Exchange Act”), as amended by the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4; (ii) approving Movant’s selection of the law firm of Gainey & McKenna to serve as Lead Counsel pursuant to 15 U.S.C. § 78u-4(a)(3)(B)(v); and (iii) granting such other and additional relief as the Court may deem just and proper.

This motion is made on the grounds that Movant has timely filed this motion, suffered the most significant financial loss resulting from Defendants’ alleged misconduct and qualify as the “most adequate” plaintiffs under § 21D of the Exchange Act.

In support of this motion, Movant submits herewith a memorandum of law, the Declaration of Thomas J. McKenna, the pleadings and other files herein and such other written or oral arguments as may be permitted by the Court.

Dated: October 30, 2012

Respectfully submitted,

GAINEY & McKENNA

By: /s/ Thomas J. McKenna
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Proposed Lead Counsel

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on October 30, 2012.

/s/ Noemi Escarment
Noemi Escarment